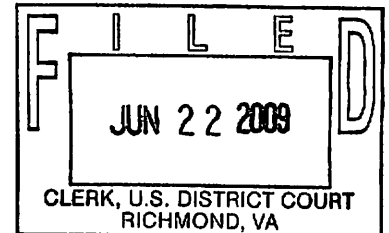


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



RUSSELL G. EDMUNDS,

Plaintiff,

v.

Civil Action No. 3:09CV114

CHEVONE BURKES, et al.,

Defendants.

MEMORANDUM OPINION

On March 19, 2009, the Court conditionally docketed Edmunds's action. Edmunds requested leave to proceed in forma pauperis. By Memorandum Order entered on April 15, 2009, the Court directed Edmunds to pay an initial partial filing fee of \$6.67 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. See 28 U.S.C. § 1915(b)(1). Edmunds has neither paid the initial partial filing fee nor averred that he can not pay such a fee. Therefore, Edmunds is not entitled to proceed in forma pauperis. Edmunds's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of the Memorandum Opinion to Edmunds.

_____/s/_____
Robert E. Payne
Senior United States District Judge

Date: June 18, 2009
Richmond, Virginia